

## HOUSE BILL NO. HB0229

Predator and trophy game management.

Sponsored by: Representative(s) Baker, Brechtel, Bucholz, Childers, Luthi, Miller, Powers, Semlek, Wasserburger and Wostenberg and Senator(s) Coe, Geis, Northrup and Roberts

A BILL

for

1 AN ACT relating to wildlife; providing for the  
2 reclassification, taking and other regulation of gray  
3 wolves as trophy game animals as specified; providing for  
4 the regulation of wolf hybrids; providing a definition of  
5 livestock for purposes of the game and fish provisions;  
6 providing for meetings and for rulemaking; providing a  
7 statement of legislative intent; providing for  
8 implementation and a report; making conforming amendments;  
9 and providing for an effective date.

10

11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 **Section 1.** W.S. 23-1-108 and 23-1-304 are created to  
14 read:

15

1           **23-1-108. Delisting of gray wolves as experimental,**  
2 **nonessential species.**

3

4 Gray wolves shall be deemed removed from the list of  
5 experimental, nonessential species in Wyoming upon final  
6 publication in the Federal Register by appropriate federal  
7 agencies removing the gray wolf from its listing as an  
8 experimental, nonessential species in Wyoming.

9

10           **23-1-304. Classification of gray wolves.**

11

12           (a) The commission shall determine the classification  
13 of gray wolves as provided in this section. In making this  
14 classification the commission shall rely upon information  
15 provided by department personnel and shall consult with the  
16 Wyoming animal damage management board created by W.S.  
17 11-6-303, and consider any additional information provided  
18 by that board.

19

20           (b) Not later than March 15, of each year, the  
21 commission shall at a public meeting:

22

23           (i) Remove gray wolves as a predatory animal and  
24 classify all gray wolves within this state as trophy game

1 animals if it determines there were less than fifteen (15)  
2 packs of gray wolves within this state as of the end of the  
3 preceding calendar year. If such a determination is made:

4  
5 (A) The commission shall adopt rules and  
6 regulations to prohibit the taking of gray wolves within  
7 this state, except as provided by W.S. 23-3-115(c), until  
8 the commission determines that a sufficient population of  
9 gray wolves exists within this state so that at least  
10 fifteen (15) packs will be within this state at the end of  
11 the current calendar year;

12  
13 (B) The commission shall again meet in  
14 public not later than May 15, of any year in which the gray  
15 wolf is classified solely as a trophy game animal, and may  
16 also meet at any subsequent time to regulate the taking of  
17 gray wolves as trophy game animals for the balance of the  
18 calendar year.

19  
20 (ii) Maintain the classification of gray wolves  
21 as a predatory animal and trophy game animal as provided in  
22 W.S. 23-1-101(a)(viii) and (xii), if it determines there  
23 were fifteen (15) or more packs of gray wolves within this  
24 state as of the end of the preceding calendar year.

1

2 (c) For purposes of this section "pack" means five  
3 (5) or more gray wolves traveling together.

4

5 (d) This section shall apply from and after the date  
6 gray wolves are removed from the list of experimental,  
7 nonessential species in Wyoming as provided by W.S.  
8 23-1-108.

9

10 **Section 2.** W.S. 11-6-302(a)(ix) and (x),  
11 23-1-101(a)(viii) and (xii), 23-1-102(a) by creating a new  
12 paragraph (xvi), 23-1-103, 23-1-302(a) by creating a new  
13 paragraph (xxix), 23-2-101(j) by creating a new paragraph  
14 (xlii), 23-2-104(e), 23-2-303(d), 23-3-102(b), 23-3-115 by  
15 creating a new subsection (c), 23-3-301 and 23-3-304(a) are  
16 amended to read:

17

18 **11-6-302. Definitions.**

19

20 (a) As used in this article:

21

22 (ix) "Predatory animal" means:

23

1                   (A) Coyote, jackrabbit, porcupine,  
2 raccoon, red fox, skunk, ~~wolf~~ or stray cat; and

3  
4                   (B) Until the date gray wolves are  
5 removed from the list of experimental, nonessential species  
6 in Wyoming as provided by W.S. 23-1-108, "predatory animal"  
7 includes wolves. After that date, "predatory animal" shall  
8 include any gray wolf not within an area of the state in  
9 which the gray wolf is designated as a trophy animal under  
10 paragraph (x) of this subsection unless removed from the  
11 listing of predatory animals by the game and fish  
12 commission pursuant to W.S. 23-1-304.

13  
14                   (x) "Trophy game animal" means:

15  
16                   (A) Black bear, grizzly bear or mountain  
17 lion; and

18  
19                   (B) From and after the date gray wolves are  
20 removed from the list of experimental, nonessential species  
21 in Wyoming as provided by W.S. 23-1-108:

22  
23                   (I) "Trophy game animal" shall include  
24 any gray wolf within those tracts of land within the

1 boundaries of Wyoming designated as Yellowstone National  
2 Park, Grand Teton National Park, the John D. Rockefeller  
3 Jr. Memorial Parkway, and those federally designated  
4 wilderness areas within the boundaries of the Shoshone  
5 National Forest and the Bridger-Teton National Forest; and

6  
7 (II) "Trophy game animal" shall  
8 include any gray wolf within the state if gray wolves are  
9 removed from the listing of predatory animals by the game  
10 and fish commission pursuant to W.S. 23-1-304.

11  
12 **23-1-101. Definitions of wildlife.**

13  
14 (a) As used in this act:

15  
16 (viii) "Predatory animal" means:

17  
18 (A) Coyote, jackrabbit, porcupine, raccoon,  
19 red fox, ~~wolf,~~ skunk or stray cat;

20  
21 (B) From and after the date gray wolves are  
22 removed from the list of experimental, nonessential species  
23 in Wyoming as provided by W.S. 23-1-108, "predatory animal"  
24 shall include any gray wolf not within an area of the state

1 in which the gray wolf is designated as a trophy animal  
2 under paragraph (xii) of this subsection unless removed  
3 from the listing of predatory animals by the commission  
4 pursuant to W.S. 23-1-304.

5  
6 (xii) "Trophy game animal" means:

7  
8 (A) Black bear, grizzly bear or mountain  
9 lion; and

10  
11 (B) From and after the date gray wolves are  
12 removed from the list of experimental, nonessential species  
13 in Wyoming as provided by W.S. 23-1-108:

14  
15 (I) "Trophy game animal" shall include  
16 any gray wolf within those tracts of land within the  
17 boundaries of Wyoming designated as Yellowstone National  
18 Park, Grand Teton National Park, the John D. Rockefeller  
19 Jr. Memorial Parkway, and those federally designated  
20 wilderness areas within the boundaries of the Shoshone  
21 National Forest and the Bridger-Teton National Forest; and

22  
23 (II) "Trophy game animal" shall  
24 include any gray wolf within the state if gray wolves are

1 removed from the listing of predatory animals by the  
2 commission pursuant to W.S. 23-1-304.

3

4 **23-1-102. General definitions.**

5

6 (a) As used in this act:

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8 (xvi) "Livestock" means horses, mules and asses,  
9 rabbits, llamas, cattle, swine, sheep, goats, poultry, or  
10 other animal generally used for food or in the production  
11 of food, and guard animals actively engaged in the  
12 protection of livestock. Bison are considered livestock  
13 unless otherwise designated by the Wyoming livestock board  
14 and the commission.

15

16 **23-1-103. Ownership of wildlife; purpose of**  
17 **provisions.**

18

19 For the purpose of this act, all wildlife in Wyoming is the  
20 property of the state. It is the purpose of this act and  
21 the policy of the state to provide an adequate and flexible  
22 system for control, propagation, management, protection and  
23 regulation of all Wyoming wildlife. There shall be no

1 private ownership of live animals classified in this act as  
2 big or trophy game animals or of any wolf or wolf hybrid.

3

4 **23-1-302. Powers and duties.**

5

6 (a) The commission is directed and empowered:

7

8 (xxix) After the date gray wolves are removed  
9 from the list of experimental, nonessential species in  
10 Wyoming as provided by W.S. 23-1-108, to classify gray  
11 wolves as predatory or trophy game animals in accordance  
12 with W.S. 23-1-304.

13

14 **23-2-101. Fees; restrictions; nonresident application**  
15 **fee; nonresident licenses; verification of residency**  
16 **required.**

17

18 (j) Subject to W.S. 23-2-101(f), the following  
19 hunting licenses and tags may be purchased for the fee  
20 indicated and subject to the limitations provided:

21

22 (xlii) From and after the date gray wolves are  
23 removed from the list of experimental, nonessential species  
24 in Wyoming as provided by W.S. 23-1-108:

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24

(A) Resident gray wolf license; one (1)  
gray wolf.....\$15.00

(B) Nonresident gray wolf license; one (1)  
gray wolf.....\$150.00

**23-2-104. Archery licenses; special seasons;  
prohibition against firearms; equipment.**

(e) When hunting antelope, bighorn sheep, black bear, deer, mountain goat or mountain lion the longbow hunter must be equipped with a longbow of not less than forty (40) pounds draw weight or possessing the ability to cast a hunting arrow of four hundred (400) grain weight at least one hundred sixty (160) yards. When hunting elk, grizzly bear or moose, the longbow hunter must be equipped with a longbow of not less than fifty (50) pounds draw weight or possessing the ability to cast a hunting arrow of five hundred (500) grain weight at least one hundred sixty (160) yards. The crossbow hunter must be equipped with a crossbow of not less than ninety (90) pounds draw weight which has a minimum draw length of fourteen (14) inches (from front of bow to back of string in the cocked position), a positive

1 safety mechanism, and, except as provided in subsection (f)  
2 of this section, which must be cocked by hand without the  
3 aid of leverage-gaining devices. Crossbow bolts must be at  
4 least sixteen (16) inches long. The broadhead of arrows or  
5 bolts shall be of sharp steel with a minimum cutting width  
6 of one (1) inch. The provisions of this subsection  
7 relating to the hunting of antelope, bighorn sheep, black  
8 bear, deer, mountain goat and mountain lion shall also  
9 apply to the hunting of the gray wolf as a trophy game  
10 animal from and after the date gray wolves are removed from  
11 the list of experimental, nonessential species in Wyoming  
12 as provided by W.S. 23-1-108.

13

14 **23-2-303. Trapping licenses; tagging; traps and**  
15 **snares; penalty; confiscation.**

16

17 (d) All traps and snares used for furbearing or  
18 predatory animals shall be permanently marked or tagged  
19 with the name and address of the owner or the  
20 identification number assigned to the owner by the  
21 department. Any identification number attached to a trap or  
22 snare pursuant to this subsection is solely for the use of  
23 the department or appropriate law enforcement officers and  
24 is not a public record for purposes of W.S. 16-4-201

1 through 16-4-205. No trap or snare shall be set for  
2 furbearing or predatory animals within thirty (30) feet of  
3 any exposed bait or carcass over five (5) pounds in weight.  
4 As used in this subsection, "exposed bait or carcass" means  
5 the meat or viscera of any part of a mammal, bird or fish,  
6 excluding dried bones. In addition, all snares used for  
7 taking furbearing or predatory animals shall be equipped  
8 with a break-away locking device that is designed to  
9 release at two hundred ninety-five (295) pounds of pressure  
10 or less and a snare loop not to exceed twelve (12) inches  
11 in diameter measured side to side. Unless otherwise  
12 specified in this section, all traps, excluding snares set  
13 for furbearing animals and predatory animals and quick kill  
14 body grip traps as defined by commission rule and  
15 regulation, shall be checked by the owner at least once  
16 during each seventy-two (72) hour period from the time the  
17 traps were set. Quick kill body grip traps shall be checked  
18 by the owner not less than once each seven (7) day period  
19 from the time the traps were set. All wildlife caught in  
20 any trap or snare shall upon discovery, be removed  
21 immediately by the owner. Violation of this subsection  
22 constitutes a ninth degree misdemeanor. After the date gray  
23 wolves are removed from the list of experimental,  
24 nonessential species in Wyoming as provided by W.S.

1 23-1-108 the commission may enact rules and regulations  
2 setting forth the specifications for traps and snares used  
3 for the taking of gray wolves. All traps and snares meeting  
4 the specifications for taking gray wolves shall be checked  
5 by the owner at least once each twenty-four (24) hour  
6 period from the time the trap or snare was set. Except as  
7 otherwise provided by commission rule, the provisions in  
8 this section regulating the trapping of furbearing and  
9 predatory animals shall apply to the trapping of gray  
10 wolves.

11  
12 **23-3-102. Taking certain game animals without license**  
13 **or during a closed season prohibited.**

14  
15 (b) Any person who takes any bighorn sheep, mountain  
16 goat, mountain lion, ~~or~~ grizzly bear or, if licensed  
17 hunting of wolves is authorized, gray wolf, without the  
18 proper license except as otherwise permitted by this act is  
19 guilty of a 4th degree misdemeanor.

20  
21 **23-3-115. Taking black bear, mountain lion, gray**  
22 **wolf, bobcat, weasel, badger, squirrels or muskrat for**  
23 **damaging property.**

24

1       (c) The provisions of subsection (a) of this section  
2 relating to the taking of animals doing damage to private  
3 property shall apply to gray wolves from and after the date  
4 gray wolves are removed from the list of experimental,  
5 nonessential species in Wyoming as provided by W.S.  
6 23-1-108. The owner, employee or lessee acting under  
7 authority of this section shall notify the nearest game  
8 warden of the killing of a gray wolf within an area of the  
9 state in which the gray wolf is classified as a trophy game  
10 animal. The notification shall be made within ten (10)  
11 days of the kill.

12

13           **23-3-301. Importation and sale of wildlife**  
14 **prohibited; exceptions.**

15

16       (a) No person shall import into Wyoming from any  
17 source any living antelope, bear, deer, elk, moose,  
18 mountain goat, mountain lion, bighorn sheep, wolf, wolf  
19 hybrid nor any living wildlife except as otherwise  
20 permitted by this act.

21

22       (b) No person shall sell any living antelope, bear,  
23 deer, elk, moose, mountain goat, mountain lion, bighorn

1 sheep, wolf, wolf hybrid or falcon except as permitted by  
2 the commission.

3

4 **23-3-304. Certain trapping devices unlawful; game for**  
5 **bait prohibited; baiting big game animals prohibited;**  
6 **penalties.**

7

8 (a) No person shall take or wound any game animal,  
9 game bird, or game fish by use of any pit, pitfall, net,  
10 trap, deadfall, poison, or other similar device except as  
11 otherwise provided. From and after the date gray wolves  
12 are removed from the list of experimental, nonessential  
13 species in Wyoming as provided by W.S. 23-1-108, gray  
14 wolves may be taken with a trap or snare only as allowed by  
15 and in accordance with rules and regulations of the  
16 commission.

17

18 **Section 3.** Nothing in this act shall prohibit the  
19 ownership of a wolf hybrid if the animal was owned before  
20 July 1, 2003 by a person then residing in this state.

21

22 **Section 4.**

23

1           (a) It is the purpose of this act, unless the  
2 introduction of the gray wolf into Wyoming is determined by  
3 lawful authorities not to have been in accordance with  
4 federal law, to provide appropriate state management and  
5 control of gray wolves in order to facilitate the removal  
6 of the gray wolf from its listing as an experimental,  
7 nonessential species in Wyoming and to prevent future  
8 listing of the gray wolf as an experimental, nonessential  
9 species or a threatened or endangered species in this  
10 state.

11

12           (b) In order to accomplish the purposes of this act,  
13 the game and fish department shall enter into a memorandum  
14 of understanding with appropriate federal agencies under  
15 which the department and federal agencies shall endeavor to  
16 manage the prey base for gray wolves in a manner to  
17 maintain a sufficient prey base in National Parks within  
18 the state for at least eight (8) packs of wolves. The game  
19 and fish department shall endeavor to manage big game  
20 populations providing a prey base for gray wolves in such a  
21 manner as to mitigate to the greatest extent possible,  
22 adverse effects on opportunities for licensed hunters to  
23 take big game.

24

1           (c) The game and fish commission shall report to the  
2 joint travel, recreation, wildlife and cultural resources  
3 interim committee not later than September 1, 2003,  
4 regarding the implementation of this act.

5

6           **Section 5.** This act is effective July 1, 2003.

7

8

(END)